

REMARKS

Claims 1-2, 4, 6-17, 19-20, 23-31, 33 and 35-49 are pending in the present application. Applicant proposes amending claims 1, 8, 10, 12, 16, 20, 30, 36, 37, 38, 39, 40, 41, 48, and 49, and canceling claims 13-15, 17, 19, 28, 29, 42, 43, and 44. Support for the amendments may be found, for example, in Figures 2, 5A, 5B, and 5C and the related description. No new matter has been added.

Claims 1-2, 4, 6-17, 19-20, 23-31, 33 and 35-49 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious in view of prior art.

Reconsideration of the present application is respectfully requested in view of the above amendments and following remarks.

Interview Summary

The undersigned wishes to thank Examiner Kumar for granting the telephonic interview of January 13, 2009.

During the interview, the undersigned discussed claims 1, 12, and 13 as well as the pending rejections with the Examiner. The undersigned suggested distinctions between claims 12 and 13 and the cited prior art. The remarks submitted herein are consistent with those discussed during the interview.

The Examiner agreed to give further consideration to the pending claims upon submission of a written reply.

Rejections Under 35 U.S.C. § 103(a)

Claims 1-2, 4, 6-11, 16-17, 19-20, 23-31, 33, 35-39 and 41-49 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. patent publication 2004/0112262A1 (“Adatia”) in view of U.S. patent US 6,757,551B1 (“Newman”). Claims 12-15 and 40 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Adatia in view of Newman and further in view of US patent 7,149,557B2 (“Chadha”).

Reconsideration is respectfully requested.

Amended claim 1 recites:

An integrated user interface mechanism for switching among at least two modes in a media device having a media

screen for electronically displaying data relating to media content, modes of operation of the media device including a first mode for interacting with the media device when the media content relates to music playback and a second mode for interacting with the media content when the media content relates to image content, comprising:

a first component movably connected proximate a first end of the media device;

a second component movably connected proximate a second end of the media device, the second end opposing the first end,

wherein the first component and the second component are movable from opposing ends of the media device towards the middle of the media device to a first position corresponding to the first mode, the media screen of the media device being substantially shielded from view and a portion of the media screen remaining unshielded from view upon movement of the first component and the second component to the first position,

wherein the first and second components are movable toward opposing ends of the media device away from the middle of the media device to a second position corresponding to the second mode, the media screen being substantially in view upon movement of the first component and the second component to the second position,

wherein at least one of the first and second components comprises a plurality of physical user interface controls for interacting with the media content when the first and second components are physically moved to the first position.

In order for a reference or set of references to render the claim obvious, the references must teach or suggest each aspect of the recited claim including the above-emphasized language. The undersigned respectfully submits that neither Adatia, Newman, nor Chadha teach the emphasized claim language and therefore cannot possibly teach or even suggest the recited combination.

Adatia discloses a media resource manager/player in the form of a user interface control “for a ***virtual*** instrument that is being displayed by a computer.” (See Abstract; ¶ 0004). The user interface control and virtual instrument run as an application on a computer running an operating system. (See Adatia at ¶ 0028). Thus, the user interface and controls illustrated in the Figures of Adatia are entirely virtual and “run on an application on a

computer running an operating system.” The virtual user interface includes a “slide-out panel, which pops out by clicking on the arrow icon (at the bottom left of FIG. 1) **with a mouse.**” (Adatia at ¶ 0032).

In contrast with claim 1, Adatia does not disclose or suggest “a first component movably connected proximate first end of the media device” and “a second component movably connected proximate a second end of the media device, the second end opposing the first end.” Rather, Adatia discloses a *virtual* “slide-out panel, which pops out by clicking on the arrow icon.” But the virtual control panel cover disclosed in Adatia is not “**a first component movably connected** proximate a first end of the media device” **and** “**a second component movably connected** proximate a second end of the media device, **the second end opposing the first end.**” The virtual “slide-out panel” is not “movably connected” at all. Further, even if for purposes of argument the slide-out panel was considered to be “movably connected” to the media device, the *single* panel cannot possibly be said to have “a first component” and “a second component.”

Furthermore, Adatia certainly does not disclose or suggest:

[the] first component and the second component [being]
movable from opposing ends of the media device towards
the middle of the media device to a first position
corresponding to the first mode, the media screen of the
media device being substantially shielded from view and-a
portion of the media screen remaining unshielded from
view upon movement of the first component and the second
component to the first position.

Indeed, the virtual control panel cover disclosed by Adatia and referenced by the Office does not even cover a media screen in any position.

Still further, because Adatia does not disclose or suggest “**a first component** movably connected to a first end of the media device” **and** “**a second component** movably connected to a second end of the media device, **the second end opposing the first end,**” Adatia cannot possibly disclose:

wherein the first and second components are movable
toward opposing ends of the media device away from the
middle of the media device to a second position
corresponding to the second mode, the media screen being

**substantially in view upon movement of the first component
and the second component to the second position.**

Newman similarly does not disclose or suggest the emphasized claim language. *Newman* discloses a personal communicator that has three detachable modules: a communications module 2; a display module 19; and a core computer module 4. (Abstract). Each of the modules may be attached to and removed from the other modules.

In contrast with claim 1, *Newman* does not disclose or suggest “a first component movably connected proximate a first end of the media device” and “a second component movably connected proximate a second end of the media device, the second end opposing the first end.” The Office notes that *Newman* discloses a hinged cover 13 to a flat panel display 14. (see Fig. 7B). But the hinged cover 13 disclosed in *Newman* is not “a first component movably connected proximate a first end of the media device” and “a second component movably connected proximate a second end of the media device, the second end opposing the first end.” Rather, the hinged cover 13 is *single* unit that is connected at *one* end of the display. Additionally, because *Newman* does not disclose or suggest “a first component movably connected proximate a first end” and “a second component movably connected proximate a second end,” it cannot possibly disclose or even suggest

**[the] first component and the second component [being]
movable from opposing ends of the media device towards
the middle of the media device to a first position
corresponding to the first mode, the media screen of the
media device being substantially shielded from view and-a
portion of the media screen remaining unshielded from
view upon movement of the first component and the second
component to the first position.**

Likewise, *Newman* cannot possibly disclose:

**wherein the first and second components are movable
toward opposing ends of the media device away from the
middle of the media device to a second position
corresponding to the second mode, the media screen being
substantially in view upon movement of the first component
and the second component to the second position.**

Chadha discloses a mobile communications device that includes a display assembly that may be extended from a housing to provide a larger display surface. (Abstract). The display assembly 204 is movable between a retracted position wherein the display assembly 204 is retracted within a cavity 210 formed in the housing and an extended position wherein the display assembly is extended from the housing. (Abstract). A window is provided in the housing for allowing the user to view at least part of the display when the display assembly is retracted within the cavity. (Abstract).

In contrast with claim 1, *Chadha* does not disclose or suggest “**a first component** movably **connected proximate a first end of the media device**” and “**a second component** movably **connected proximate a second end of the media device, the second end opposing the first end.**” Rather, the display assembly 204 of *Chadha* in a first embodiment (Fig. 6, 12-16) is hinged to the housing 202 and rotates around the hinge so as to be extended from and retracted into the housing 202. In a second embodiment (Fig. 7, 8), the display assembly 204 of *Chadha* is spring mounted and can be retracted into and out of the housing 202. In all embodiments disclosed by *Chadha*, the display assembly 204 of *Chadha* cannot be both “**a first component** movably **connected proximate a first end**” and “**a second component** movably **connected proximate a second end of the media device, the second end opposing the first end.**”

Furthermore, because *Chadha* does not disclose “**a first component** movably **connected proximate a first end**” and “**a second component** movably **connected proximate a second end of the media device,**” *Chadha* cannot possibly disclose or even suggest

[the] first component and the second component [being] movable from opposing ends of the media device towards the middle of the media device to a first position corresponding to the first mode, the media screen of the media device being substantially shielded from view and-a portion of the media screen remaining unshielded from view upon movement of the first component and the second component to the first position.

Likewise, *Chadha* cannot possibly disclose:

wherein the first and second components are movable toward opposing ends of the media device away from the middle of the media device to a second position corresponding to the second mode, the media screen being substantially in view upon movement of the first component and the second component to the second position.

Therefore, because neither Adatia, Newman, nor Chadha disclose or even suggest the above emphasized claim language, the references cannot possibly be combined to form the combination recited in claim 1. Independent claims 20, 28, 29, 30, 48, and 49 are not anticipated or rendered obvious for similar reasons. Furthermore, all claims that depend from independent claims are patentable as depending from a novel and non-obvious independent claim.

Applicant notes that the other pending claims recite additional language that further distinguishes from the cited references. For example, claim 20 recites:

two wings mounted on opposing sides of the body that slide outward from the media screen . . . **the two wings operating as a stand for the portable media player**, at least one of the two wings comprising physical user interface controls for controlling the portable media player and having controls for controlling the media content when the wings are in the closed position,

wherein a portion of the media screen remains visible despite the substantial covering of the media screen for the display of additional information to a user,

wherein **at least one of the two wings is interchangeable with an alternate wing**,

wherein the alternate wing comprises physical user interface controls providing alternate functionality for controlling the portable media player

Neither Adatia, Newman, nor Chadha disclose or even suggest the above emphasized claim language. For this additional reason, claim 20 and the claims depending therefrom patentably define over the references.

Reconsideration and withdrawal of the rejections under 35 U.S.C. §§ 103 is respectfully requested.

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PATENT

CONCLUSION

The undersigned respectfully submits that pending claims are allowable and the application in condition for allowance. A Notice of Allowance is respectfully solicited.

Examiner Kumar is invited to call the undersigned in the event a telephone interview might advance prosecution of this application.

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